## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

THE RITZ HOTEL LIMITED

**CIVIL ACTION** 

Plaintiff/Counterclaim Defendant

2:05-cv-04730 (NS)

v.

:

SHEN MANUFACTURING COMPANY INCORPORATED,

Defendant/Counterclaim Plaintiff

## MOTION OF SHEN MANUFACTURING COMPANY INCORPORATED TO TREAT THE RITZ HOTEL LIMITED'S MOTION TO EXCLUDE TESTIOMNY OF GARY KRUGMAN (DKT. 128) AS MOOT

Shen Manufacturing Company Incorporated hereby withdraws from its witness list the designation of Gary Krugman, and therefore, the Ritz Hotel Limited's Motion to exclude testimony of Gary Krugman (Dkt. 128) should be dismissed as moot.

Date: November 18, 2009 Respectfully submitted,

HARDING, EARLEY, FOLLMER & FRAILEY

s/Frank J. Bonini, Jr./\_\_\_\_\_

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Attorneys for Defendant Counterclaim-Plaintiff Shen Manufacturing Company, Incorporated

## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Defendant Shen Manufacturing Company Incorporated's MOTION OF SHEN MANUFACTURING COMPANY INCORPORATED TO TREAT THE RITZ HOTEL LIMITED'S MOTION TO EXCLUDE TESTIOMNY OF GARY KRUGMAN (DKT. 128) AS MOOT and PROPOSED ORDER were served on this 18<sup>th</sup> day of November, 2009, by sending the same electronically to:

Lile H. Deinard, Esquire Bruce R. Ewing, Esquire DORSEY & WHITNEY, LLP 250 Park Avenue New York, New York 10177

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By: s/Frank J. Bonini, Jr./